

November 28, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

**Re: VoIP E911 Compliance Report (November 28, 2005)
RCN Telecom Services of Illinois, LLC; WC Docket No. 05-196**

Dear Ms. Dortch:

RCN Telecom Services of Illinois, LLC ("RCN"), through its undersigned counsel and pursuant to Commission Rule 9.5(f), as adopted by the Commission's *Order*¹ concerning the enhanced 911 ("E911") service requirements and conditions applicable to interconnected Voice over Internet Protocol ("VoIP") service providers, submits this Compliance Report ("Report") to advise the Commission of the status of RCN's efforts to comply with the Commission's VoIP E911 Rules.²

By way of background, RCN uses Voice Over Internet Protocol technology to provide voice telephone service to primarily residential customers in the Chicago metropolitan area. This VoIP technology is used only for the connection, over RCN dedicated facilities, between the customer's premises and the RCN voice-capable switching equipment. The service does not use the public Internet and customers do not have to purchase an Internet access connection to use RCN's voice telephone service. RCN therefore does not believe it should be considered an "interconnected VoIP provider" within the meaning of the *Order*. Nonetheless, in the interest of public safety, RCN has chosen voluntarily to comply fully with the *Order* until this uncertainty is clarified.

¹ *IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking 20 FCC Rcd. 10245 (2005) ("*Order*").

² Pursuant to the Commission's prior Public Notices, RCN has filed three status reports (and one ex parte letter noting RCN had obtained over 90% affirmative acknowledgements as of September 27, 2005) concerning the Company's efforts to notify its customers of the limitations associated with the Company's VoIP 911 service, and to obtain affirmative acknowledgments from those subscribers stating that they fully understand those limitations. These reports were filed in the above-referenced docket on in the above-referenced docket on August 10, September 1, and September 22, 2005. RCN's letter noting it had met the Commission's 90% threshold by September 27, 2005 was filed on October 5, 2005.

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Accordingly, consistent with the Commission's rules, as well as the Public Notice issued by the Enforcement Bureau on November 7, 2005 (the "Public Notice"),³ this Report details RCN's efforts to provide E911 service to customers in compliance with Commission Rule 9.5(b) and (c), and to comply with the registered location requirements of Commission Rule 9.5(d). Following the format requested by the Enforcement Bureau in the Public Notice, the Company provides the following information.

- 1) **A quantification, on a percentage basis, of the number of subscribers to whom the Company is able to provide 911 service in compliance with the rules established in the *VoIP 911 Order*.**

As of November 28, 2005, RCN is able to provide VoIP 911 service in compliance with the *Order* to 100% of its VoIP subscribers.

- 2) **A detailed statement as to whether the Company is transmitting, as specified in Paragraph 42 of the *VoIP 911 Order*, "all 911 calls to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority utilizing the Selective Router, the trunk line(s) between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary in those areas where Selective Routers are utilized."**

RCN is transmitting all 911 calls to the appropriate PSAP via the Selective Router as specified in the *Order*. RCN Telecom Services of Illinois' Digital Phone service is provided from a Class 5 telephone switch, specifically a Nortel DMS500. All traffic, including 911 calls, is routed over the PSTN network using dedicated SS7 trunking. RCN has three dedicated trunk groups that route calls to the local PSAPs over this SS7 PSTN network.

- 3) **If the Company is not transmitting all 911 calls to the correct answering point in areas where Selective Routers are utilized, a detailed explanation of why not.**

Not applicable. RCN is transmitting all 911 calls to the correct answering points.

- 4) **The number of Selective Routers to which the Company has interconnected, directly or indirectly, as of November 28, 2005.**

As of November 28, 2005, the Company has interconnected directly to all three (3) of the relevant selective routers serving its operating territory.

³ *Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters*, WC Docket Nos. 04-36 and 05-196, Public Notice, DA 05-2945 (rel. Nov. 7, 2005).

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- 5) **A detailed statement as to whether the Company is transmitting via the Wireline E911 Network the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information.**

RCN is currently sending Registered Location information and ANI for all 911 calls over the Wireline E911 Network to all relevant PSAPs.

- 6) **The percentage of how many answering points within the Company's service area are capable of receiving and processing ANI and Registered Location information that the provider transmits.**

To RCN's knowledge and belief, 100% of answering points in the Company's service area are capable of receiving and processing ANI and Registered Location information transmitted by the Company.

- 7) **The percentage of subscribers whose ANI and Registered Location are being transmitted to answering points that are capable of receiving and processing this information**

To the Company's knowledge and belief, ANI and Registered Location information is capable of being transmitted to the answering points of 100% of the Company's VoIP customers.

- 8) **If the Company is not transmitting the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information, a detailed explanation why not.**

Not applicable. Please see response to question 7 above.

- 9) **To the extent the Company has not achieved full 911 compliance with the requirements of the *VoIP 911 Order* in all areas of the country by November 28, 2005, the Company should describe in detail, either in narrative form or by map, the areas of the country, on an MSA basis, where it is in full compliance and those in which it is not.**

Not applicable, as RCN has obtained full 911 coverage for all existing customers.

- 10) **If not in full compliance, the Company's plans for coming into full compliance with the requirements of the *Order*, including its anticipated timeframe for such compliance.**

Not applicable, as RCN has obtained full 911 coverage for all existing customers.

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- 11) **A detailed description of all actions the Company has taken to obtain each existing subscriber's current Registered Location and each new subscriber's initial Registered Location (including, but not limited to, relevant dates and methods of contact with subscribers and a quantification, on a percentage basis, of the number of subscribers from whom the Company has obtained the Registered Location).**

RCN has obtained initial registered location information for 100% of the Company's Digital Phone customers. A technician visit is required to install the service in the customer's home, which supplies the Company with the initial registered location information. Further, on the work order signed by the customer, it states, "the address associated with an E911 call on RCN's VoIP service is specific to the customer's original service location only."

- 12) **A detailed description of the method(s) the Company has offered its subscribers to update their Registered Locations. This information should include a statement as to whether the Company is offering its subscribers at least one option for updating their Registered Location that permits them to use the same equipment that they use to access their interconnected VoIP service.**

RCN does not intend for its digital phone service to be utilized in a nomadic manner. We strongly discourage customers from moving or in anyway disrupting their modem from its original configuration. As such, there is no need for customers to update location information with RCN. However, should an RCN customer take their modem to another RCN customer's home within a limited geographic area (the only other place the modem could work), RCN provides to its customers the ability to request an update to their registered location. Customers may request such service by contacting RCN customer service via telephone.

- 13) **A detailed description of any technical solutions the Company is implementing or has implemented to ensure that subscribers have access to 911 service whenever they use their service nomadically.**

As noted above, RCN does not intend for its digital phone service to be utilized in a nomadic manner. It strongly discourages customers from moving or in anyway disrupting their modem from its original configuration. As RCN's service is inherently non-nomadic (please see response to question 12 above), RCN requires no technical capability to ensure nomadic 911 service. Further, RCN's service complies fully with § 9.5(b)(2) because it always transmits calls to the PSAP serving the customer's Registered Location.

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- 14) **A description of any automatic detection mechanism that enables the Company to identify when a customer may have moved his or her interconnected VoIP service to a new location and ensure that the customer continues to receive 911 service even when using the interconnected VoIP service nomadically.**

Not applicable, as the company's service is not intended to be used nomadically.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Russell M. Blau". To the right of the signature, the letters "IRS" are handwritten.

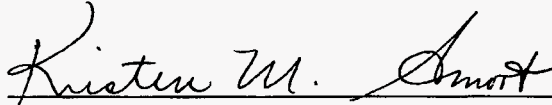
Russell M. Blau

Ronald W. Del Sesto, Jr.

Counsel for RCN Telecom Services of Illinois, LLC

cc: Byron McCoy (FCC)
Kathy Berthot (FCC)
Janice Myles (FCC)
Best Copy and Printing, Inc.
Kristen M. Smoot (RCN)

I, Kristen M. Smoot, state that I am Director Regulatory Affairs, of RCN Telcom Services of Illinois that I am authorized to submit the forgoing *VoIP E911 Compliance Report* ("*Report*") on behalf of RCN Telecom Service of Illinois; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, reading "Kristen M. Smoot". The signature is written in a cursive style with a large initial 'K' and a long, sweeping underline.

Name: Kristen M. Smoot

Title: Director Regulatory Affairs

RCN Telecom Services of Illinois, LLC